

OC06-001

South Dakota One Call Notification Board



South Dakota  
ONE CALL  
1-800-781-7474

Larry L. Englerth  
Executive Director

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JUL 17 2006

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

June 21, 2006

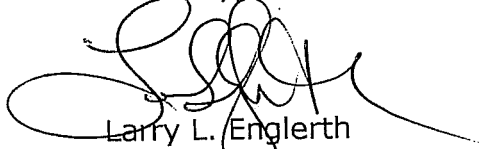
Robert Roth, Vice Pres.  
Runge Enterprises, Inc.  
3500 Hovland Drive  
Sioux Falls, SD 57107

Arnie Wenbourne  
A T & T  
3000 W. 10<sup>th</sup> Street  
Sioux Falls, SD 57104

The Enforcement Committee recommendation to resolve Complaint OC06-001 has been accepted by both parties involved in the complaint. The order closing this Complaint is attached.

This order will close all action on this complaint with the exception that the suspended portion of the penalty would be applicable should a further violation occur prior to June 19, 2007 or the payment of the penalty from this complaint is not received prior to July 21, 2006.

Sincerely,



Larry L. Englerth  
Executive Director

# **BEFORE THE SOUTH DAKOTA ONE CALL NOTIFICATION BOARD**

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IN THE MATTER OF THE	)	ORDER
COMPLAINT AGAINST RUNGE	)	OC06-001
ENTERPRISES, INC.	)	

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On May 12, 2006, the South Dakota Public Utilities Commission received a complaint from A T & T against Runge Enterprises, Inc. Runge Enterprises, Inc. did not dispute the allegation in the complaint that they had excavated without providing advance notice to the South Dakota One Call System but did provide background information on how the violation occurred and their previous history of utilizing the South Dakota One Call System.

On June 15, 2006, the Enforcement Committee of the South Dakota One Call Notification Board met and determined that probable cause exists in Docket OC06-001 in regards to the allegation that Runge Enterprises, Inc. has violated SDCL 49-7A-5. The Enforcement Committee recommended a five hundred dollar (\$500.00) penalty with three-hundred dollars (\$300.00) suspended on the grounds that Runge Enterprises, Inc. fully comply with SDCL 49-7A and ARSD Article 20:25 for twelve months following the date of Runge Enterprises, Inc. signing the Enforcement Committee Action Agreement and that Runge Enterprises, Inc. fully comply with the resolution of this complaint by making payment of two-hundred dollars (\$200) within thirty days of the issuance of this order.

All interested parties agreed with the recommendations of the Enforcement Committee. By June 19, 2006, all interested parties had signed the Enforcement Committee Action Agreement.

ORDERED, that the terms and conditions of the Enforcement Committee Action Agreement shall be incorporated into this Order by reference and attached hereto, the same as if it was fully recited herein and shall as such be fully binding upon the parties to it; and it is

FURTHER ORDERED that the docket in this matter shall be closed.

The South Dakota One-Call Notification Board has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-7A, specifically 49-7A-5, 49-7A-18, 49-7A-20, 49-7A-22, 49-7A-26.

Dated at Sioux Falls, South Dakota, this 21st day of June, 2006.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

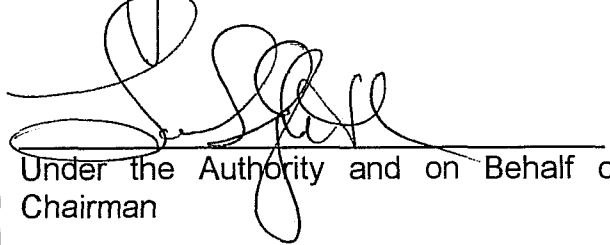
By: 

Larry Englerth, Executive Director

Date: June 21, 2006

BY ORDER OF THE SD ONE-CALL BOARD:

  
JERRY SCHROEDER, Chairman

  
Under the Authority and on Behalf of the  
Chairman

LARRY ENGLERTH, Executive Director